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REMARKS

Applicant has amended the claims 1 and 29. Applicant respectfully submits that these amendment to the claims are supported by the application as originally filed and do not contain any new matter. Accordingly, the Final Office Action will be discussed in terms of the claims as amended.

The Examiner has objected to the specification stating that the specification fails to provide proper antecedent basis for the claimed subject matter of claims 11, 13, 14 and 30 which recite a single hole provided in the first end of the belt connecting to a single projection on the end of the eye cup portion.

In reply to this objection, Applicant directs the Examiner's attention to Figure 1. In particular, Applicant respectfully submits that accidentally the prior art was entered as Figure 1 of the present application and the present invention was entered as Figure 9. By way of the amendment of March 24, 2006 this reversal was corrected and now the Figure 1 is the present invention and Figure 9 is the prior art. As a result, the description in the specification now correctly corresponds to the right Figures. Still further, Applicant respectfully submits that both the corrected Figure 1 and the Figure 8 show a construction wherein a single hole is provided in the first end of the belt corresponding to the single projection on the end of the eye cup portion. Therefore, Applicant respectfully request that the Examiner withdraw the rejection.

The Examiner has further objected to the drawings stating that the drawings do not show each and every element of claim 31. In reply thereto, Applicant respectfully submits that the new Figure 10 which was added with the amendments of April 9, 2007 discloses the construction of claim 31. Therefore, Applicant respectfully requests that the Examiner withdraw this objection.

The Examiner has further rejected the claims 1, 2, 11-14, 24 and 26-31 under 35 USC 112, first paragraph stating that claims 1 and 29 each recite that the belt has a soft portion on the second end, but Applicant's specification and drawings disclose that the soft portion is number 10 and recites that the other area of the belt 3 is formed with a soft portion 10, but does not specifically disclose that the soft portion is at the second end of the belt. Applicant

has amended the claims 1 and 29 and respectfully submits that the claims now comply with the requirements of 35 USC 112, first paragraph.

The Examiner has rejected the claims 1, 11, 12, 24 and 26-30 under 35 USC 103 as being obvious over Tsubooka et al. in view of Wu et al. stating that Tsubooka et al. discloses the invention substantially as claimed and particularly teaches a pair of swimming goggles comprising two eye portions 1 for protecting the users eyes, a belt 2 and 7 connected to the eye cut portion, a single projection 11B provided on the eye cup portion 1, holes 12A or 12B at the first end of the belt so that the belt and the eye cups can be connected together, a hard portion in the form of a fastening mechanism at the first end of the belt with the belt portion 2 formed with comparably soft and stretchable elastomer, but fails to teach a connecting/disconnecting mechanism provided at a second end of the belts; Wu et al. teaches goggles with a pair of belts 10 having connecting/disconnecting mechanism 30 of a hook type at the second end; and it would have been obvious to one of ordinary skill in the art to modify Tsubooka et al. in view of the teachings of Wu et al.

Applicant has carefully reviewed Tsubooka et al. and respectfully submits that the connecting part which includes the element 7 is a separate and different piece from the belt and is not integrally formed with the belt. In addition, Applicant respectfully submits that the length adjusting mechanism is provided as part of the coupling member 3 which includes the elastic bent piece 7 and therefore there is no need or suggestion in Tsubooka et al. that one would divide the belts in two and then provide an adjusting mechanism at the other end. Such a construction would provide redundant and unnecessary adjustment mechanism at both ends of each part of the belt.

Still further, Applicant respectfully submits that the construction of Applicant's invention provides advantages over Tsubooka et al. In particular, as a result of the construction of Applicant's invention there is no difference in level between the eye cup portions and the belt and the belt does not need to be folded back. Since there is no difference in level in Applicant's invention between the belt and the eye cup portion and there is no folded back portions of the belt at the users temporal region, the resistance against water flow can be reduced and the flapping of the folded end portions of the belt around the users temporal region will not occur and not distract the user. In addition, Applicant respectfully submits that in Tsubooka et al. where the coupling member and the eye cup are connected, a

gap in a V-shape in cross-section is formed. As a result, during the use of the goggles of Tsubooka et al., water will flow into the gap and increase the water resistance and slow down the swimmer. Applicant's invention contains no such gap and therefore the water resistance is not increased.

While the Examiner suggests that it would be obvious to modify Tsubooka et al. in view of the teachings of Wu et al., Applicant respectfully submits that for the reasons set forth above, since Tsubooka et al. already has a length adjusting mechanism and a coupling means provided at one end, there would be no need to provide a length adjusting mechanism at the other end. Therefore, one of ordinary skill in the art would not make such a combination.

In view of the above, therefore, Applicant respectfully submits that not only is the combination suggested by the Examiner not Applicant's invention, but also the combination suggested by the Examiner would not be suggested to one of ordinary skill in the art. As a result, Applicant respectfully submits that the claims 1, 11, 12, 24 and 26-30 are not obvious over Tsubooka et al. in view of Wu et al.

The Examiner has further rejected the claims 2, 13 and 14 under 35 USC 103 as being obvious over Tsubooka et al. in view of Wu et al. and further in view of Lutz stating that the combination of Wu et al. and Tsubooka et al. discloses all of the present invention except for the back portion of the belt that fits to the users occipital region is made wider than the side portions; Lutz discloses goggles with a strap 16 having a back belt portion 32 made wide and side belt portions 34 made narrow; and it would have been obvious to one of ordinary skill in the art to modify the combination of Tsubooka et al. and Wu et al. in view of the teachings of Lutz.

In reply to this rejection, Applicant would like to incorporate by reference his comments above concerning Applicant's invention, Tsubooka et al. and Wu et al. Still further, Applicant has carefully reviewed Lutz and respectfully submits that the length adjusting mechanism is provided at the eye cup portion of the goggles and again requires that the belt be folded back at the temporal regions.

In view of the above, therefore, Applicant respectfully submits that the combination suggested by the Examiner is not only not Applicant's invention but also would not be obvious to one of ordinary skill in the art. Therefore, Applicant respectfully submits that the

claims 2, 13 and 14 are not obvious over Tsubooka et al. in view of Wu et al. and further in view of Lutz.

The Examiner has rejected the claim 31 under 35 USC 103 as being obvious over Tsubooka et al. in view of Wu et al. and further in view of Runckel stating that the combination of Tsubooka et al. and Wu et al. discloses all of the present invention except for the ends of the eye cup portions provided with single holes and first ends of the belt provided with projections corresponding to the single hole; Runckel teaches goggles 10 having a belt connected to the eye cup portions 12 and 14 via a single hole and first ends of the belts are provided with projections corresponding to the single hole and it would have been obvious to one of ordinary skill in the art to modify the combination of Tsubooka et al. and Wu et al. in view of the teachings of Runckel.

In reply to this rejection, Applicant would like to incorporate by reference his comments above concerning Applicant's invention, Tsubooka et al. and Wu et al. In addition, Applicant has carefully reviewed Runckel and respectfully submits that hook portion 44 which includes the adjustment mechanism of the belt is only provided at one end of the belt and is a separate piece from the belt and is not integral therewith. Still further, the belt is folded back through the hook piece 44 and has the disadvantages of the prior art discussed above. Accordingly, Applicant respectfully submits that even if one made the combination suggested by the Examiner, the combination would not be Applicant's invention. Therefore, Applicant respectfully submits that the claim 31 is not obvious in view of Tsubooka et al. in view of Wu et al. and further in view of Runckel.

In view of the above, therefore, it is respectfully requested that this Rule 116 Amendment be entered, favorably considered and the case passed to issue.

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Please charge any additional costs incurred by or in order to implement this
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Respectfully submitted,

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